

The House Committee on State Institutions and Property offers the following substitute to HB 226:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 42-8-35.4 of the Official Code of Georgia Annotated, relating to
2 confinement in probation detention center, so as to change provisions relating to the
3 sentencing and confinement of certain defendants in a probation detention center; to permit
4 credit for time served in confinement while awaiting confinement in a probation detention
5 center; to provide for related matters; to provide for an effective date and applicability; to
6 repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 42-8-35.4 of the Official Code of Georgia Annotated, relating to confinement
10 in probation detention center, is amended by revising subsection (a) as follows:

11 "(a) In addition to any other terms and conditions of probation provided for in this article,
12 the trial judge may require that a defendant convicted of a felony and sentenced to a period
13 of not less than one year on probation or a defendant who has been previously sentenced
14 to probation for a forcible misdemeanor as defined in paragraph (7) of Code Section 16-1-3
15 or a misdemeanor of a high and aggravated nature and has violated probation or other
16 probation alternatives and is subsequently sentenced to a period of not less than one year
17 on probation shall complete satisfactorily, as a condition of that probation, a program of
18 confinement in a probation detention center. Probationers so sentenced will be required
19 to serve a the period of confinement as specified in the court order, ~~which confinement~~
20 ~~period shall be computed from the date of initial confinement in the probation detention~~
21 ~~center."~~

22 **SECTION 2.**

23 This Act shall become effective on July 1, 2009, and shall apply to probationers sentenced
24 on or after such date.

H. B. 226 (SUB)

25

SECTION 3.

26 All laws and parts of laws in conflict with this Act are repealed.